

## Message Text

PAGE 01 STATE 186975

66

ORIGIN EUR-12

INFO OCT-01 ISO-00 L-03 SSO-00 USIE-00 ERDA-05 CIAE-00

H-02 INR-07 IO-10 NSAE-00 OIC-02 OMB-01 PA-01 PM-03

PRS-01 SAJ-01 SAM-01 SP-02 SS-15 TRSE-00 DODE-00

NSC-05 ACDA-05 INRE-00 NSCE-00 /077 R

DRAFTED BY EUR/CE:GACHESTER:KP

APPROVED BY EUR/CE:DANDERSON

EUR/SOV: BZOOK

L/EUR:DSMALL

EUR/EE:KBROWN

----- 120964

O R 072130Z AUG 75

FM SECSTATE WASHDC

TO AMEMBASSY BONN IMMEDIATE

INFO USMISSION USBERLIN

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

USMISSION NATO

AMEMBASSY BERLIN

AMEMBASSY PRAGUE

C O N F I D E N T I A L STATE 186975

E.O. 11652: GDS

TAGS: PFOR, WB, US, UK, FR, GW, CZ

SUBJECT: SOVIET AND CZECH NOTES ON EXTENSION OF NPT TO  
WEST BERLIN

REF: A.) BONN 12298 (NOT TO PRAGUE)

B.) STATE 162293 (NOT TO PRAGUE)

C.) BONN A-628, DECEMBER 31, 1974

1. DEPARTMENT HAS CIRCULATED TO NPT PARTICIPANTS UNDER  
CONFIDENTIAL

PAGE 02 STATE 186975

JULY 14 DATE CONTENTS OF SOVIET NOTE ON EXTENSION OF NPT  
TO WEST BERLIN AND US REPLY NOTE ON BEHALF OF THREE  
WESTERN ALLIES DATED JULY 30. COPY OF REPLY NOTE PASSED  
INFORMALLY TO FRENCH EMBASSY AUGUST 6.

2. DEPARTMENT RECEIVED SIMILAR NOTE FROM CZECH EMBASSY DATED JULY 24 (TEXT BELOW) FOR CIRCULATION TO NPT PARTIES. REQUEST US REP INFORM BONN GROUP OF CONTENTS OF NOTE AND DETERMINE IF OTHERS WISH REPLY. WE TEND TO FAVOR BRIEF REPLY AND COULD ENVISAGE NOTE CONSISTING OF PARA 2 OF RELEVANT ANNEX 1 TO REPAIR CATEGORY II. 2.B. (1); OF REFERENCE TO CIRCULATED REPLY TO SOVIET NOTE, AND OF PARA 5 OF RELEVANT ANNEX 1.

3. CZECH NOTE FOLLOWS:

THE EMBASSY OF THE CZECHOSLOVAK SOCIALIST REPUBLIC PRESENTS ITS COMPLIMENTS TO THE DEPARTMENT OF STATE AND, WITH REFERENCE TO THE DEPARTMENT'S NOTE OF 19 MAY 1975, INFORMING THE EMBASSY OF THE RATIFICATIONS OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS, INCLUDING THAT BY THE FEDERAL REPUBLIC OF GERMANY AND ITS STATEMENT THAT THE TREATY WILL APPLY ALSO TO WEST BERLIN, HAS THE HONOR TO ADVISE FOLLOWING:

AS CONCERNS THE POSSIBILITY OF EXTENDING THE VALIDITY OF THE TREATY TO WEST BERLIN, THE CZECHOSLOVAK SOCIALIST REPUBLIC STATES THAT, IN ACCORDANCE WITH THE FOUR-POWER AGREEMENT OF 3 SEPTEMBER 1971, WEST BERLIN IS NOT PART OF THE FEDERAL REPUBLIC OF GERMANY AND CANNOT BE ADMINISTERED BY IT.

THE DECLARATION BY THE FEDERAL REPUBLIC OF GERMANY TO THE EFFECT THAT THE VALIDITY OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS WILL BE EXTENDED TO COVER WEST BERLIN IS IN CONTRAVENTION TO THE FOUR-POWER AGREEMENT WHICH STIPULATES THAT THE GOVERNMENT OF THE REPUBLIC OF FRANCE, OF THE UNITED KINGDOM AND OF THE UNITED STATES OF AMERICA, RESPECTIVELY, RETAIN THEIR RIGHTS AND RESPONSIBILITIES CONCERNING THE REPRESENTATION OF THE INTERESTS ABROAD OF THE WESTERN SECTORS OF BERLIN  
CONFIDENTIAL

PAGE 03 STATE 186975

AND OF THE PERSONS PERMANENTLY RESIDING IN THE WESTERN SECTORS, INCLUDING THE RIGHTS AND RESPONSIBILITIES CONCERNING MATTERS OF SECURITY AND STATUS. THE EXTENSION OF THE VALIDITY OF INTERNATIONAL TREATIES CONCLUDED BY THE FEDERAL REPUBLIC OF GERMANY TO COVER THE WESTERN SECTORS OF BERLIN, IN HARMONY WITH THE ADOPTED RULES, IS POSSIBLE ONLY UNDER THE CONDITION THAT QUESTIONS OF SECURITY AND STATUS ARE NOT AFFECTED. THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS CLEARLY AFFECTS QUESTIONS OF STATUS AND SECURITY DIRECTLY.

THE FEDERAL REPUBLIC OF GERMANY CANNOT HAVE ANY RIGHTS AND RESPONSIBILITIES AS CONCERNS THE IMPLEMENTA-

TION OF THE PROVISIONS OF THE SAID TREATY IN WEST BERLIN,  
CANNOT EXTEND ITS VALIDITY TO COVER WEST BERLIN, AND  
THEREFORE ITS DECLARATION CAN HAVE NO LEGAL EFFECTS  
WHATSOEVER.

THE EMBASSY WOULD BE GRATEFUL TO THE DEPARTMENT OF STATE  
FOR COMMUNICATING THE CONTENTS OF THE PRESENT NOTE TO  
ALL THE STATES THAT HAVE BEEN NOTIFIED OF THE RATIFICATION  
OF THE SAID TREATY BY THE FEDERAL REPUBLIC OF GERMANY.

THE EMBASSY OF THE CZECHOSLOVAK SOCIALIST REPUBLIC  
AVAILS ITSELF OF THIS OPPORTUNITY TO RENEW TO THE DEPART-  
MENT OF STATE THE ASSURANCES OF ITS HIGHEST CONSIDERATION.  
END TEXT. KISSINGER

CONFIDENTIAL

<< END OF DOCUMENT >>

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 26 AUG 1999  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** NPT, DIPLOMATIC NOTES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 07 AUG 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** ElyME  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975STATE186975  
**Document Source:** ADS  
**Document Unique ID:** 00  
**Drafter:** EUR/CE:GACHESTER:KP  
**Enclosure:** n/a  
**Executive Order:** 11652 GDS  
**Errors:** n/a  
**Film Number:** D750273-0566  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750899/baaaarkp.tel  
**Line Count:** 125  
**Locator:** TEXT ON-LINE, TEXT ON MICROFILM  
**Office:** ORIGIN EUR  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:**  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ElyME  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 15 APR 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <15 APR 2003 by GarlanWA>; APPROVED <01 OCT 2003 by ElyME>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** n/a  
**TAGS:** PFOR, WB, US, UK, FR, GE, CZ  
**To:** BONN INFO USBERLIN  
LONDON  
PARIS  
MOSCOW  
NATO  
BERLIN

PRAGUE

**Type:** TE

**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006